

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DANIEL JOSEPH MARTINEZ,

Petitioner,

v.

CV No. 20-425 KG/CG

CHAD MILLER,

Respondent.

ORDER TO CURE DEFICIENCY

THIS MATTER is before the Court on Petitioner Daniel Joseph Martinez's *pro se* 28 U.S.C. § 2241 habeas petition (the "Petition"), (Doc. 1), filed May 4, 2020. The Petition is deficient because Petitioner has not prepaid the \$5.00 filing fee or, alternatively, filed an application to proceed *in forma pauperis* along with a six-month account statement. See 28 U.S.C. § 1915. Petitioner must cure this deficiency within thirty (30) days of entry of this Order. All filings must include the case number (20-cv-0425 KG-CG). Failure to timely cure the deficiency may result in dismissal of this action without further notice.

IT IS ORDERED that within thirty (30) days of entry of this Order, Petitioner must pay the \$5.00 filing fee or, alternatively, file an application to proceed *in forma pauperis* along with an inmate account statement reflecting transactions for a six-month period.

IT IS FURTHER ORDERED that the Clerk's Office shall **MAIL** Petitioner a copy of the form Application to Proceed *In Forma Pauperis*.

IT IS SO ORDERED.



THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE